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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 FRASER M. ROTCHFORD,

11 Petitioner,

12 v.

13 DEPARTMENT OF CORRECTIONS,

14 Respondent.
15

CASE NO. 2:21-cv-00057-RJB-JRC

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

16 THIS MATTER comes before the Court on the report and recommendation of Magistrate
17 Judge J. Richard Creatura. Dkt. 7. The Court has reviewed the report and recommendation, to
18 which no objections were filed, and the remaining record and does hereby find and ORDER:

- 19 (1) The Court adopts the report and recommendation.
20 (2) Petitioner's federal habeas petition is dismissed without prejudice.
21 (3) A certificate of appealability is denied in this case.
22 (4) The Clerk is directed to send copies of this order to petitioner and to the Hon. J.
23 Richard Creatura.
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IT IS SO ORDERED.

The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any party appearing *pro se* at said party's last known address.

Dated this 2nd day of June, 2021.

Robert Bryan

ROBERT J. BRYAN
United States District Judge